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UNCLAS SECTION 01 OF 02 KINSHASA 001095

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SUBJECT: SLOW START TO GDRC-CNDP NAIROBI TALKS

Summary

¶1. (SBU) According to a MONUC contact, the Nairobi talks between the CNDP and GDRC focused almost exclusively on procedures, with virtually no progress. On substance, the CNDP opted for a maximalist strategy, calling into question the DRC constitution and its institutions, including the national government. The CNDP asked for the Mediation to consider a "moratorium" on reinforcements for MONUC and it was even more outspoken in its opposition to any bridging force. Our MONUC contact characterized the GDRC as "overwhelmed by a process over which it has lost control." A member of the Congolese delegation criticized the CNDP's negotiating stance, which aimed to "wind the clock back to the pre-constitution period." The talks will resume December 17. A Great Lakes Summit in Nairobi on December 20 will reportedly seek international consensus on how the Mediation should deal with the CNDP and its demands. End Summary.

Concentrating on Procedures

¶2. (SBU) According to a senior MONUC official present at the December 8-11 talks between the CNDP and GDRC, the discussions focused almost exclusively on procedure: terms of reference; rules of procedure; modalities; and a "Program of Work," which is a set of principles for the discussions. No agreement was apparently reached on any of these documents.

¶3. (SBU) Most of the talks were in fact bilateral consultations between the Mediation and one or the other side, with only a few "plenary sessions" including both sides. MONUC attended only the Mediation/GDRC/CNDP sessions, not the bilateral consultations.

¶4. (SBU) The GDRC delegation included the following:

- Minister for Regional and International Cooperation (and former presidential Chief of Staff) Raymond Tshibanda;
- National Coordinator for the Amani Process Malu Malu;
- North Kivu Governor Julien Paluku;
- South Kivu Governor Louis-Leonce Muderhwa; and
- Diplomatic Advisor to the National Assembly President Manya Mopoundo.

The CNDP delegation included:

- Foreign Affairs Advisor Rene Abandi;
- Deputy Executive Secretary Kambasu Ngeve;

--Spokesperson Bertrand Bisimwa;

--Deputy Foreign Affairs Advisor Benjamin Mbonimpa; and

--Military Advisor Antione Manzi.

CNDP Takes a Maximalist Position

¶5. (SBU) The CNDP opened with a maximalist negotiating position, maintaining that the talks "should concern all of the DRC and not only the East." The CNDP reportedly called into question the legitimacy of the constitution and the institutions emanating from it, including the GDRC. The CNDP also demanded that the GDRC accept the return of all Congolese Tutsi refugees in Rwanda. Our MONUC contact opined that allowing a rebel group to call into question an internationally supported transition and electoral process could set a dangerous precedent. One observer dubbed the talks "Sun City II" to indicate the protracted, all-encompassing nature in which the talks appear to be developing.

¶6. (SBU) The CNDP also suggested a "moratorium," on reinforcing MONUC, suggesting the parties "agree to the modalities for the establishment of a surge capacity." Oddly, according to our interlocutor, the Mediation seemed inclined to consider this CNDP demand. The CNDP was even more blatant about its intentions to discourage, if not block, the deployment of any EU bridging force.

¶7. (SBU) The CNDP stressed that it would not enter into a dialogue

KINSHASA 00001095 002 OF 002

with other armed groups. The rebel group stated that it was not against the GDRC talking to these groups, but not at the same negotiating table as the CNDP-GDRC talks. Our MONUC contact said that the CNDP position undermined the GDRC intention to begin a first phase of talks with the CNDP, followed by a second phase, which would include the other armed groups.

GDRC "Overwhelmed by Process"

¶8. (SBU) The GDRC, in the view of our MONUC contact, did not have a strategy to counter the CNDP's excessive demands and the "Mediation's vacillations." Our contact added that "the GDRC is obviously overwhelmed by a process over which it has lost control." According to our MONUC contact, the GDRC, which has few cards to play except its recognized sovereignty, "faces a determined, powerful and ruthless rebel movement." These factors put this dialogue "on a very problematic foundation."

¶9. (SBU) A member of the Congolese delegation told post on December 11 that the CNDP team had implicitly questioned the ability of the Mediation to act as a neutral actor. Our interlocutor stressed that the GDRC maintains that all discussions with the CNDP should aim to bring the movement back into negotiations within the Amani framework. Our interlocutor urged the U.S. to facilitate a message of the international community's support for the current Mediation.

¶10. (SBU) The GDRC, according to our contact, is frustrated by the CNDP's attempt to "wind the clock back to the pre-constitution period." Discussions should focus on the situation in the Kivus, not on the broader issues put forward by the CNDP.

Next Steps

¶11. (SBU) The talks will resume on December 17 under Mpaka's chairmanship. Obasanjo will join the talks on December 19, and on December 20, a Great Lakes summit in Nairobi will take place. The summit will discuss the DRC situation, specifically seeking international consensus on how the Mediation should deal with the CNDP and its demands. The talks will be suspended on December 22, resuming after Christmas, or possibly after New Year.

